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UNITED STATES DISTRICT COURT

CLARK COUNTY, NEVADA

VIDA DIVINA, LLC, a Nevada limited liability company,

Plaintiff,

vs.

T1 PAYMENTS, LLC, a Nevada limited liability company; DOES 1-10 and ROE ENTITIES 1-10, inclusive,

Defendant.

T1 PAYMENTS, LLC, a Nevada limited liability company,

Counterclaimant,

vs.

VIDA DIVINA, LLC, a Nevada limited liability company; DOES I-X and ROE ENTITIES I-X, inclusive,

Counterdefendants.

Case No.: 2:21-cv-01005-JCM-VCF

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO STAY DISCOVERY
 PENDING PRIVATE MEDIATION**

(First Request)

Plaintiff Vida Divina, LLC (“Plaintiff” or “Vida”) and Defendant T1 Payments, LLC (“Defendant” or “T1”) (and collectively with Vida, the “Parties”), by and through their respective counsel, stipulate and agree as set forth below. This is the Parties’ first such stipulation to temporarily stay applicable discovery deadlines, and no prejudice will result to any party from a short stay.

1. WHEREAS this Court approved the Parties’ requested discovery schedule, including setting the following discovery deadlines, ECF No. 11:

- a. Last date to complete discovery: June 6, 2022.
- b. Last date to amend pleadings and add parties: March 8, 2022.
- c. Last date to disclose experts pursuant to FRCP 26(a)(2): March 8, 2022
- d. Last date to disclose rebuttal experts: April 6, 2022.
- e. Last date to file dispositive motions: July 8, 2022.
- f. Last date to file joint pretrial order: August 7, 2022.

2. WHEREAS, on April 21, 2022, Vida issued a notice of intent to serve a third-party subpoena.

3. WHEREAS, on April 28, 2022, T1 responded to Plaintiff's notice of intent with a written objection to the third-party subpoena. This started a process of counsel for the Parties meeting and conferring regarding this and other outstanding discovery issues.

4. WHEREAS, on May 23, 2022, the Parties agreed to participate in a private mediation. The private mediation is presently set for June 1, 2022 in Las Vegas, Nevada with Judge Philip Pro (Retired).

5. THEREFORE, the Parties stipulate, agree and respectfully request this Court order a temporary stay of all remaining, open discovery deadlines pending the conclusion of the private mediation.

6. The stay shall be retroactively effective to April 21, 2022, the date Vida issued its notice of intent to serve a third-party subpoena.

7. Should the private mediation not resolve all causes of action in this case, the Parties will submit an amended discovery plan and scheduling order for the Court's consideration and approval within 14 days of the conclusion of the private mediation. All such discovery deadlines shall resume running effective the day after the Court approves the amended discovery plan. The applicable discovery deadlines shall be adjusted to take into account the time between April 21, 2022 and the conclusion of the private mediation.

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The undersigned represent this stipulation is entered in good faith and is not intended for purposes of delay.

DATED this 26th day of May, 2022.

McDONALD CARANO LLP

KERR SIMPSON ATTORNEYS AT LAW

By: /s/ Aaron D. Shipley

By: /s/ Taylor Simpson

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Attorneys for T1 Payments, LLC

Attorneys for Vida Divina, LLC

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 5-27-2022

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